

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/061,547	VAN ZEE, PIETER J.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Kelly L. Jerabek	2622	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to After Final Amendment filed 6/7/2006.
2. ☒ The allowed claim(s) is/are 5,6,8,9,12 and 15-18.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |  |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment                               |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|   | 9. <input type="checkbox"/> Other _____.   |

## DETAILED ACTION

### *Allowable Subject Matter*

**Claims 5-6, 8-9, 12 and 15-18 are allowed.**

The following is an examiner's statement of reasons for allowance:

Re claims 5-6 and 8-9, the prior art fails to teach or suggest "An image capturing device comprising a housing; a computing device disposed in said housing and adapted to perform, inter alia, operations directed by at least one application program unrelated to image capture; an optoelectric transducer disposed in said housing, arranged to accept an optical input via a light transmissive opening through said housing, and to convert said optical input to an electrical signal; an image processor disposed within said housing and electrically coupled to said optoelectric transducer; a memory coupled to said image processor; a user interface further comprising a first electromechanical activator adapted to accept both a user instruction to turn the image capturing device on and to save said electrical signal as a stored image representation and **a second electromechanical activator adapted to accept both a user instruction to review said stored image representation and to turn the image capturing device off**; and an integral interface connector coupled to said image processor and adapted to be coupled to an external computer without an intervening cable".

Re claims 12 and 15-16, the prior art fails to teach or suggest “A method of capturing and integrating an image in an image capture device comprising the steps of: turning the image capture device on in response to a user’s activation of a first electromechanical actuator; exposing an optoelectric transducer disposed in a housing of the device to light input via a light transmissive opening through said housing; converting said light into an electrical signal; accepting a user instruction to said first electromechanical actuator to save said electrical signal as a stored image representation; **accepting a user instruction to a second electromechanical activator to review said stored image representation; recalling said image representation; and accepting a user instruction to said second electromechanical activator to turn the image capturing device off**”.

Re claims 17-18, the prior art fails to teach or suggest “An image capturing device comprising a housing; an optoelectric transducer disposed in said housing, arranged to accept an optical input via a light transmissive opening through said housing, and to convert said optical input to an electrical signal; an image processor disposed within said housing and electrically coupled to said optoelectric transducer; a memory coupled to said image processor; a user interface further comprising a first electromechanical activator adapted to accept both a user instruction to turn the image capturing device on and to save said electrical signal as a stored image representation and **a second electromechanical activator adapted to accept both a user**

Art Unit: 2622

**instruction to review said stored image representation and to turn the image capturing device off;** and an integral interface connector coupled to said image processor and adapted to be coupled to an external computer without an intervening cable”.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

### ***Contacts***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kelly L. Jerabek whose telephone number is (571) 272-7312. The examiner can normally be reached on Monday - Friday (8:00 AM - 5:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Ometz can be reached on (571) 272-7593. The fax phone number for submitting all Official communications is (703) 872-9306. The fax phone number for submitting informal communications such as drafts, proposed amendments, etc., may be faxed directly to the Examiner at (571) 273-7312.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for

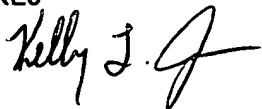
Art Unit: 2622

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

KLJ



DAVID OMETZ  
SUPERVISORY PATENT EXAMINER